

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BURRELL MICHAEL CUSHMAN,

Petitioner,

v.

STATE OF WASHINGTON,

Respondent.

CASE NO. C20-0202-JCC

ORDER

This matter comes before the Court on the report and recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge (Dkt. No. 5). Petitioner filed timely objections to the report and recommendation. (Dkt. No. 6.) Having thoroughly considered the report and recommendation, Petitioner's objections, and the relevant record, the Court hereby FINDS and ORDERS that:

1. Petitioner's objections (Dkt. No. 6) are OVERRULED;
2. Judge Theiler's report and recommendation (Dkt. No. 5) is APPROVED and ADOPTED;
3. Petitioner's 28 U.S.C. § 2254 petition for writ of habeas corpus (Dkt. No. 3) and this action are DISMISSED without prejudice for failure to exhaust state court remedies;
4. Petitioner's motion to compel information (Dkt. No. 4) is DENIED as moot;
5. Petitioner is DENIED a certificate of appealability; and
6. The Clerk is DIRECTED to send copies of this order to Petitioner and to Judge Theiler.

1 DATED this 22nd day of April 2020.

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6 UNITED STATES DISTRICT JUDGE  
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